

WRIGHT'S DAY. He Tells the Jury of His Part in the Flack Conspiracy. INCriminating LETTERS. Mrs. Flack Will Not Again Be Called to the Stand.

Even a well-developed blizzard was not enough to deter a throng of curiosity-seekers and court cranks from gathering at the scene of the Flack conspiracy trial in the Court of Oyer and Terminer to-day.

There was a distinct air of confidence among the three defendants, and their counsel, ex-Judge Horace Russell and John H. Bird, were jubilant in their expressions.

Ex-Judge Russell declared that the proof of the innocence of the three alleged conspirators would be affirmative. He declared that he would prove by reputable witnesses that Mrs. Flack had made rash statements about her drinking habits and about many other things.

Justice Barrett obliged the lawyers to conclude their questionings of the wife of Sheriff Flack before yesterday's adjournment, and after the adjournment the weakened, exhausted mother of "Willie" Flack was taken to the Vanderbilt Hotel, her part in the court drama having been completed.

Assistant District-Attorney Goff declared to-day that he had no knowledge of Mrs. Flack's movements. She might go where and when she pleased.

Judge Russell thought that he would not subpoena Mrs. Flack on behalf of the defense, and John Bird declared that his client, Joseph Meeks, would not need her as a witness.

Judge Russell denied that he had brought up Mrs. Flack's drinking habits as a mitigation or palliation of Sheriff Flack's or Will Flack's action, but only to show that she was not worthy of belief, for he would prove that her testimony regarding her habits was false.

Benjamin Wright, the lawyer who was substituted in place of Ambrose Monell as Mrs. Flack's attorney in the divorce proceedings, was the first witness of to-day.

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He testified that he had never known nor seen Mrs. Flack till this trouble came out, and didn't know that the Sheriff had a wife till Joseph Meeks, an old acquaintance, visited him at his office on July 2 last, with a request that he permit himself to be substituted as attorney of record for Mrs. Flack in her suit for divorce.

He said to him that she was not in my line. I am engaged in real estate practice and don't know anything about the practice in divorce cases. Is there any money in this case? "Cause if there is I don't want anything to do with it."

Joe replied: "Ben, do you suppose I would get you into anything that wasn't right? I replied that I didn't think he would, but that I didn't know her, but if he would get me a power of attorney from Mrs. Flack I would appear as an attorney of record in the case as a special lawyer to him as an old friend."

Joe said that authority in writing from Ambrose Monell would be sufficient and I said all right, that will do. Then I asked what he wanted me to sign. He looked up at his pocket and summons and said, "I'll sign that for you. There are in Meeks's handwriting. I saw that the complaint was verified."

"When you signed that complaint did you know that it was false?" asked Prosecutor Goff.

Mr. Wright replied in the negative, and said that Meeks put the paper in his pocket and left the office.

Mr. Wright testified that he, at that time, had no knowledge that Monell had prior to that gone through a similar suit. He, Wright, directed no one to serve the papers, and no copies of the summons or complaint were made in his office nor by any one as far as he knew.

The witness emphatically denied that he had appeared in any court or before any judge in this case, and declared that he never authorized or engaged any agent, attorney or counsel to appear for him.

He had never seen Mrs. Margaret Smith nor Kate Cannon, the ladies with whom Sheriff Flack, Sarah Cherry and Eddie Raymond boarded, and who figure as witnesses against Flack. He didn't know at that time that Meeks was the referee, and never did anything in the case, except to sign the papers.

Mr. Wright was valuable. He chattered rapidly and testified circumstantially to most things. He said it was his custom to keep a record of each step taken in any case, but he had made no entries in the Flack case.

At this point an attempt was made by the prosecution to introduce Ambrose Monell's letter of authority to Wright, but objection was made because Mr. Wright had fixed the date of his first entry of the case as the first week of July and he thought it might have been ten to twenty days after that he received the letter from Monell.

As this would carry its date beyond that of the consummation of the conspiracy on July 12, as the prosecution fix it, and of course beyond July 2, the date of the decree of divorce as claimed by the de-

fense, it could not be evidence against Meeks and the two Flacks, as the conspiracy had been consummated.

Mr. Goff read the letter, which was dated April 23, and Lawyer Wright said he had lost the envelope. The point on that envelope would have settled the date of its passage through the post-office, and Mr. Bird, who declares Wright is the biggest rascal in the job, says the envelope was destroyed purposely.

Then a conversation between Wright, Monell and Meeks in the Court-House corridor after the Wright exposure was admitted against Meeks.

"Well, I don't like to repeat one expression used by Judge Monell," said the volatile witness.

"I think he said 'damn,'" said Wright.

"Shocked you, didn't it?" grunted Bird.

Wright nodded violently, and Bird wagged his head at the jury and looked said and solemn.

Another letter received by Mr. Wright by messenger was identified as having come from Joseph Meeks. It was marked confidential in letters big enough to be read aloud. It was not dated, but was received in August. It was like this:

DEAR BEX—Everything is being hushed up. Keep to the plan originally adopted by you. I am not going to say anything. Your authorization from Monell, protects you. I do not think anything will appear before to-day. Yours truly,

Several words were underscored as shown in the italics above.

While Lawyer Wright was testifying the witness most interesting after Mrs. Flack, entered. They were Mrs. Margaret Smith and her sister, Miss Kate Cannon. They were attired in the latest fashion, and Miss Cannon, having been seated in one corner of the front court-room, produced a big white satin fan and vigorously fanned her heated brow, while everybody else in the court-room shivered with the cold.

Here was offered another letter that must be explained. The envelope was saved in this instance. It was addressed to "Benjamin Wright, Esq., Raybourn, Suffolk County, N. Y.," where Mr. Wright lives in summer.

It was postmarked at New York, Aug. 8, 1889, and the receiving mark of the day's office gave the same date. But the letter itself was like this:

No. 3 NORTH STREET, N. Y. April 10, 1890.

Benjamin Wright, Esq., Raybourn, Suffolk County, N. Y.

DEAR SIR: My mother, contemplating commencing proceedings against my father for a divorce.

It is understood between me and I wish you to represent her in the matter. Yours truly,

WILLIAM L. FLACK.

With this damning letter against Will Flack the prosecution ended its examination. Mr. Bird showed him, and John Bird took him up.

He got Mr. Wright to deny a conversation with Meeks which he had testified to before the jury. Then Mr. Wright said he first heard of the case through Meeks, who visited him at his office in the Potter Building.

He said he had signed the summons which he had signed and dated at 132 Nassau street. The witness explained that he did that from force of habit, not having been in his new office long enough to get used to it.

"Benjamin Wright, lawyer of twenty years in practice, don't you know that there was a statute against your leading your name as an attorney, as you say you did?" demanded Mr. Bird in a voice of thunder.

"Perhaps there may be," returned the smiling lawyer.

"Now if Mr. Meeks first told you of the case on July 2, and you signed the other papers, then the adjournment of days had not elapsed since the service of the summons and the appointment of a referee, didn't it?"

"Well, of course, it couldn't very well," returned the talkative witness, still smiling.

Mr. Bird obliged Lawyer Wright to read an indorser by himself on the back of the letter from Judge Monell, purporting to have been written April 23 last, but which Wright claimed was written after The World exposure in August.

The indorser was like this:

I appeared as the attorney for Mrs. Flack in this case. He signed the letter.

It wasn't dated and Mr. Wright could not explain why, but denied that he had outlined the date because it would conflict with the evidence.

Justice Barrett grew weary of Benjamin Wright's talkativeness and cautioned him to keep still, answer questions and refuse to answer the rest. Meeks directed the jury to look at the papers in this case.

Mr. Bird slowly and deliberately put this question to the witness:

Did not Joseph Meeks come to you with a letter to him to sign the judgment roll and saying to you that he had come from Judge Bookstaver to you with the papers in Flack against Flack? Meeks said that he wanted you to allow yourself to be substituted?"

Joseph Meeks, straightening in his chair, gazed intently into the face of the witness, but Wright's eyes never visited him.

They looked at his own fingers, that were drumming on the corner of the Judge's desk. He cleared the desk of the papers.

"Can you explain, Mr. Wright, how it happens that all the papers in this case were in the hands of the Court on July 2?"

He said that he had signed the papers in Meeks's July, and after that some time signed the affidavit of regularity in which you affirm that twenty days have elapsed since the summons was signed by you, the summons and the affidavit being in that bundle of papers in the hands of Judge Bookstaver on July 2."

Mr. Wright couldn't explain it at all, and a recess was taken to give him time to reflect on it.

The witness was taken on July 19, 1889, was the question with which John Bird began the afternoon session. April 19, 1889, is the date of the original summons in the Flack case.

Benjamin Wright replied: "132 Nassau street."

That is the address written by Wright on the envelope, which he says he did from force of habit some time in July, when his office was at 31 Park Row.

Mr. Wright was led along to an interview with the jury, and after the exposure of the divorce, and said that he had sent for Meeks, for he wanted him to make a public statement of his connection with the matter.

Bird took up the judgment roll and, pointing to the affidavit there of Wright, asked: Did you want him to tell the truth that on July 2, at the Potter Building, you signed these papers and dated them "132 Nassau street, April 23, 1889?"

"Isn't it true that you have hounded the defendants in this case, one and all, except the Sheriff, ever since the exposure?" asked the jury.

You had been authorized to appear for Mrs. Flack by Judge Monell long before you really were so authorized.

Mr. Wright denied the soft impeachment, and said the Monell letter dated

April 10 was received by him in July just prior to The World's exposure.

He denied the proposition that the Will Flack letter, dated in April and received at Bay Shore in August, was written by the defendant, as the envelope, and that that accounted for the fact that the envelope was addressed to him in the bold hand of Joseph Meeks.

"You were not indicted by the Grand Jury, were you?"

Bird asked the question very softly, and Benjamin Wright replied "No" in a full voice.

"You haven't gone into this thing with a firm determination to save yourself, even if you had to send your old and dear friend, Joe Meeks, to prison, have you?"

Mr. Wright hoped not, chokingly, and Mr. Meeks's eyes watered.

In the indirect, Mr. Goff partially destroyed the effect of the apparently convicting admission of Wright that he had signed himself as of 132 Nassau street when he had been out of those offices between the alleged date and what claims was the real date of the transaction.

Mr. Goff called the attention of the witness and jury to the fact that there was an indorsement on the paper in the handwriting of Meeks, and the same address was given there.

Lawyer Wright was liberated by the lawyers after nearly four hours' cross-fire of questions, and his place was taken by Mrs. Margaret Smith, the widow, with whom James A. Raymond and wife, and Eddie Raymond, alias Sheriff Flack, Sarah Cherry and Sarah Cherry's sixteen-year-old son, had been residing.

Mrs. Smith, in a velvet gown and a love of a velvet bonnet, testified in a voice weaker than a whisper, and the stenographer had to repeat what she said.

Mrs. Smith had known Sarah Cherry eighteen or twenty years. In 1889 she had a boarder in Thirty-fourth street who lived there one week. His board was paid by Mrs. Raymond. Mrs. Raymond was Sarah Cherry.

Do you know James A. Flack?" Mr. Goff asked.

There was a whisper "yes," and every eye turned upon the face of the Sheriff.

Mr. Smith couldn't tell how long she had known Flack, and when she was asked if the Sheriff boarded with her in occupied a room in her house the ordeal was such for the pale-faced, wan little woman.

A reply was insisted upon, and the woman whispered that Flack occupied her room some nights, and she supposed, for he was there to breakfast next morning. She knew his real name, but he was called "Mr. Raymond" in the house.

"One night Mr. Flack told me his wife wanted a divorce, and that he was willing for her to have one. It was better for her to have a divorce, and he was better for her, Raymond and the boy."

"If I would sign a testimony to the matter it would be a great favor, he said, and I knew all about the facts and his relations with Mrs. Raymond."

Then her nerves showed signs of collapsing. She shook like a leaf and was so nervous that Mr. Goff was obliged to suspend for a while.

In New York, so far, no case of this sort have been going to a standing jury. Others have been reported more than willing to jump from Indianapolis, Beckley and Mulvey have come into the ranks again and other players have placed themselves from time to time on the list of the dissatisfied.

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